

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, APRIL 7, 2014 – LEGISLATIVE CHAMBER, ROOM 314,
TOWN HALL, WEST HARTFORD, CT 06107**

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING CALLED AT 7:15 P.M.

ATTENDANCE: Kevin Ahern, Chair; Kevin Prestage; Vice-Chair; Commissioners: Jeff Daniels and Paul Freeman; Alternate: John O'Donnell; Todd Dumais, Town Planner/Secretary to TPZ; Cathy Dorau, Associate Planner.

ABSENT: Commissioner: Michael Seder; Alternates: Liz Gillette and Michele Maresca; Patrick Alair, Corporation Counsel

MINUTES:

1. Approval of Minutes:
 - a. Minutes of Regular Meeting, Monday, March 3, 2014. (Motion/Daniels; Second/Prestage; O'Donnell seated for Seder; Vote: 4-0.)

NEW BUSINESS:

90 Stoner Drive - Application (SUB #293) of Henry W. Nozko, Jr., Co-Executor of the Estates of Henry W. and Victoria C. Nozko (Glen Martin, Architect) requesting approval of a re-subdivision of an approximately 1.83 acre parcel. The proposed lot is approximately 32,981 sf. The property is located in an R-20 single family zone requiring a minimum lot area of 20,000 sf. (Submitted for TPZ receipt on April 7, 2014. Suggest required public hearing be scheduled for May 5, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Prestage; Second/Daniels) (O'Donnell seated for Seder) to schedule this matter for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

3 Oak Ridge Lane - Application (IWW #994) of James and Jenine St. Clair (Record Owners) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant is proposing an approximately 290 sf kitchen addition and an approximately 308 sf deck within the 150' regulated area. (Submitted for IWWA receipt on April 7, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Freeman)(O'Donnell seated for Seder) to find the proposed regulated activity to be

NON-SIGNIFICANT. The IWWA directed that the wetland permit be issued subject to full compliance with Town Erosion and Sedimentation Control requirements.

97 Waterside Lane - Application (IWW #995) of Bryan Stolz, Landscape Designer (C. Gobes and A. Masciocchi, R.O.s) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Woodridge Lake). The applicant is proposing to rebuild a portion of the existing water wall along with associated grading, drainage and landscape improvements within the 150' regulated area. (Submitted for IWWA receipt on April 7, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Daniels; Second/Prestage (O'Donnell seated for Seder) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

15 Greenridge Lane – Application (IWW #996) of Sheldon Crosby, Architect (R. Crandall, R.O.) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on April 7, 2014. Suggest required public hearing be scheduled for May 5, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5 -0)** (Motion/Daniels; Second/O'Donnell)(O'Donnell seated for Seder) to schedule this matter for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

15 Greenridge Lane – Application (IWW #997) of Sheldon Crosby, Architect (R. Crandall, R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant is proposing the removal of the existing deck and construction of a new wine cellar, screened porch and deck within the 150' regulated area. (Submitted for IWWA receipt on April 7, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Daniels; Second/O'Donnell) (O'Donnell seated for Seder) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday**, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

2 Ferncliff Drive – Application (IWW #998) of ZAP Group, LLC (G. Patchen, Contact) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil

survey prepared by a professional soil scientist. (Submitted for IWWA receipt on April 7, 2014. Suggest required public hearing be scheduled for May 5, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5 -0)** (Motion/Daniels; Second/O'Donnell)(O'Donnell seated for Seder) to schedule this matter for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

993 North Main Street –Application (SUP #1085-R2-14) of Veterinary Specialists of Connecticut (David Hoopes, Attorney) requesting a modification to the Special Use Permit approved on July 2, 2007 to allow emergency veterinary services daily between the hours of 8pm and 7am. (Submitted for TPZ receipt on April 7, 2014. Suggest required public hearing be scheduled for May 5, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Prestage; Second/O'Donnell) (O'Donnell seated for Seder) to schedule this matter for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

100 Mayflower Street – Application (SUP #1253) of the West Hartford YMCA (Shawn Fongemie, Director) requesting approval to utilize the gymnasium, locker rooms and lower level space (approximately 12,000 sf) within St. Brigid School for after school, night, weekend and summer camp programs. (Submitted for TPZ receipt on April 7, 2014. Suggest required public hearing be scheduled for May 5, 2014.) *Applicant is requesting a waiver of required fees, pursuant to Section 177-50 L*

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Prestage; Second/Daniels)(O'Donnell seated for Seder) to schedule this matter for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

The motion to waive the required application fees failed by **majority vote (1-4)** (Motion/Daniels; Second/Seder) (O'Donnell seated for Seder) (Freeman voted “yes”). Your waiver request was denied and therefore you are required to submit the \$260 application fee prior to your hearing.

OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON MARCH 3, 2014; PUBLIC HEARING OPENED AND CONTINUED TO APRIL 7, 2014:

668 - 678 Farmington Avenue (Walgreens) – Application (SUP #1249) of ReadCo, LLC (Scott Franklin, Attorney) seeking a Special Use Permit to allow for a temporary freestanding trailer to be located on the southeasterly portion of the premises to serve as a temporary pharmacy during the construction of the proposed new Walgreens building to be located at 668-678 Farmington Avenue. (Submitted for TPZ receipt on February 3, 2014. Required public hearing scheduled for March 3, 2014. Public hearing opened and continued to April 7, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (3-0)** (Motion/Daniels; Second/O'Donnell)(O'Donnell seated for Seder)(Prestage recused himself) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

668 - 678 Farmington Avenue (Walgreens) – Application (SUP #1248) of ReadCo, LLC (Scott Franklin, Attorney) seeking a Special Use Permit to allow for the construction a drive-thru/drive-up pharmacy window on the north side of the proposed new Walgreens building to be located at 668-678 Farmington Avenue. The drive-thru/drive-up pharmacy will dispense only prescription medications. (Submitted for TPZ receipt on February 3, 2014. Required public hearing scheduled for March 3, 2014. Public hearing opened and continued to April 7, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (3-0)** (Motion/Daniels; Second/O'Donnell)(O'Donnell seated for Seder)(Prestage recused himself) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.

- c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by April 2016 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operation concerns are identified.

**NEW BUSINESS – APPLICATION RECEIVED AND SET DIRECTLY TO
PUBLIC HEARING AND DECISION ON APRIL 7, 2014:**

47 Brookside Boulevard – Application (IWW #946-R2-14) of Daniel Blume, Attorney (Robert Cerciello, R.O.) requesting approval of an Inland Wetlands and Watercourses permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. A permit was granted on January 6, 2010 for regulated activities that have been revised. The applicant is proposing to repair and stabilize an existing stone wall at the bank of Trout Brook, construct a retaining wall at the rear of the house, and remove a portion of an existing retaining wall within the 150' regulated area. (Prior application determined to be significant and set for public hearing on March 3, 2014. Application denied. Resubmitted for IWWA receipt on April 7, 2013. Presumed to be significant based upon prior application and set directly for public hearing April 7, 2013 with approval of the Chair.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **majority vote (4-1)** (Motion/O'Donnell; Second/Prestage) (O'Donnell seated for Seder) (Daniels voted "no") to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

47 BROOKSIDE BOULEVARD
INLAND WETLAND APPLICATION IWW #946-R2-14
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at 47 Brookside Boulevard in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #946-R2-14** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's environmentalist, Michael Klein, Environmental Planning Services, LLC has submitted a report dated March 19, 2014.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located 47 Brookside Boulevard.

This permit is issued and made subject to the following conditions:

- 1) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) Town Engineering Division shall receive copies of all material received by IWWA.
- 3.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
- 4.) This IWWA permit approval shall be stripped onto the final set plan.
- 5.) The applicant shall retain a professional engineer or landscape architect to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan.
- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
- 4) The top soil will be stockpiled only in an approved location and shall be contained by baled hay or screen filters which will be installed and maintained around the entire perimeter.

- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 6) Filters or hay bales shall be installed around all catch basins inlet grates.
- 7) During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
- 8) As soon as rock and earthwork has been completed and established and the major utility installation finished, the base course of asphalt shall be properly installed to prevent further erosion.
- 9) The accumulated sediment in stilling basins or sediment traps shall be removed on a regular basis.
- 10) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
- 11) The placement and maintenance of hay bales, sediment screens and other erosion and sediment control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation.
- 12) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
- 13) Town Engineering Division shall receive copies of all material received by IWWA.
- 14) The applicant shall retain a professional engineer to oversee the construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
- 15) The post construction maintenance plan addressing the on site drainage system provided on the final plan shall be adhered to.

**OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON
APRIL 7, 2014:**

188 Westmont - Application (IWW #993) of Linda Congdon (Robin Pearson, Attorney) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant is proposing an approximately 1,800 sf footprint for a new single family dwelling and associated site improvements within the 150' regulated area. (Submitted for IWWA receipt on March 3, 2014. Determined to be potentially significant and set for public hearing on April 7, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **majority vote (4-1)** (Motion/O'Donnell; Second/Prestage) (O'Donnell seated for Seder) (Daniels voted "no") to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

188 WESTMONT
INLAND WETLAND APPLICATION IWW #993
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at 47 Brookside Boulevard in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #993** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's professional wetland scientist, Michael Klein, Principal, Environmental Planning Services, LLC has submitted a report dated February 14, 2014.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located 188 Westmont.

This permit is issued and made subject to the following conditions:

- 1. Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2. Town Engineering Division shall receive copies of all material received by IWWA.
- 3. The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
- 4. This IWWA permit approval shall be stripped onto the final set plan.
- 5. The applicant shall retain a professional engineer to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the

following conditions:

- 1) The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan.
- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
- 4) The top soil will be stockpiled only in an approved location and shall be contained by baled hay or screen filters which will be installed and maintained around the entire perimeter.
- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 6) Filters or hay bales shall be installed around all catch basins inlet grates.
- 7) During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
- 8) As soon as rock and earthwork has been completed and established and the major utility installation finished, the base course of asphalt shall be properly installed to prevent further erosion.
- 9) The accumulated sediment in stilling basins or sediment traps shall be removed on a regular basis.
- 10) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
- 11) The placement and maintenance of hay bales, sediment screens and other erosion and sediment control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation.
- 12) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
- 13) Town Engineering Division shall receive copies of all material received by IWWA.
- 14) The applicant shall retain a professional engineer to oversee the construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
- 16) The post construction maintenance plan addressing the on site drainage system provided on the final plan shall be adhered to.

188 Westmont - Application (SUB #292) of Linda Congdon (Robin Pearson, Attorney) requesting approval of a two (2) lot re-subdivision on an approximately 1.52 acre parcel. The proposed lots consist of a 29,900 sf lot with an existing single family home and new lot of 36,680 square feet. The property is located in an R-20 single family zone requiring a minimum lot area of 20,000 sf. (Submitted for TPZ receipt on March 3, 2014. Required public hearing scheduled for April 7, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Daniels)(O'Donnell seated for Seder) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings:

1. The proposed subdivision is consistent with the requirements of the Subdivision Regulations found in Chapter 184 of the West Hartford Code of Ordinances.
2. The proposed subdivision is consistent with the applicable requirements of the West Hartford Zoning Ordinances found in Chapter 177.
3. Final approved plans shall be submitted in electronic form for inclusion into the Town's Geographic Information System (GIS).
4. The letter of approval shall be stripped onto the final plan set.

138 (aka 132) Park Road (Plan B Burger Bar) - Application (SUP #1212-R2-14) of Shawn Skehan, Owner (John Kennelly, Attorney) requesting TPZ review of the conditions of SUP #1212 approved on May 7, 2012 for a thirty two (32) seat outdoor dining area. The TPZ required the applicant to return to the Commission in order to review operational procedures. The TPZ may consider supplemental conditions of approval if operational concerns are identified. (Submitted for TPZ receipt on March 3, 2014. Required public hearing scheduled for April 7, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Daniels)(O'Donnell seated for Seder) to reaffirm the existing conditions of SUP #1212 approved by the Commission on May 7, 2012. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The TPZ determined no supplemental conditions of approval are necessary.

60 (aka 52) Lasalle Road - Application (SUP #1252) of Erika Johns (Applicant, Generation Y) seeking a Special Use Permit to establish a licensed day care facility, Generation Y. The facility offers programs and classes for school aged children which include arts and crafts, fitness and homework clubs. Hours vary but are primarily after school to 7:30 pm during the week, 11am-5pm Saturday and open Sunday for private parties only. (Submitted for TPZ receipt on March 3, 2014. Required public hearing scheduled for April 7, 2014.) *** Request by Applicant to postpone hearing date to next regularly scheduled meeting ***

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Prestage;

Second/O'Donnell) (O'Donnell seated for Seder) to postpone this matter at the applicant's request, for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

526 New Park Avenue (East West Grille) - Application (SUP #1251) of Manola Sidara, Owner of East West Grille (Brett Bowin, Architect) seeking a Special Use Permit to establish an outdoor dining area with a seating capacity of sixteen (16) seats. Proposal includes a vinyl fence enclosure, outdoor speakers, umbrellas as well as plantings along the outer perimeter of the dining area. (Submitted for TPZ receipt on March 3, 2014. Required public hearing scheduled for April 7, 2014.) ***Request by Applicant to postpone hearing date to next regularly scheduled meeting ***

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Daniels; Second/Prestage) (O'Donnell seated for Seder) to postpone this matter at the applicant's request, for public hearing on Monday, May 5, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

TOWN COUNCIL REFERRALS AND REQUEST FOR REPORT:

11-17 South Main Street – Application on behalf of A.K. Central Limited Partnership, owner of 11 and 13-17 South Main Street, abutting properties on the west side of South Main Street in the Town Center, requesting a new Special Development District (SDD #137) in order to remove the Masonic Temple building at 11 South Main Street and construct a four-story building in its place with twenty-one (21) residential units on the upper floors, 8,500 s.f. of ground floor retail, and a twenty-one (21) space underground parking garage. The properties are currently zoned Central Business District (BC). (Submitted for Town Council receipt on February 25, 2014. TPZ receipt on April 7, 2014. Town Council public hearing scheduled for April 10, 2014.)

**Request to postpone to May 5, 2014 granted. Motion/Daniels;
Second/O'Donnell (O'Donnell seated for Seder); Vote: 5-0**

639 Flatbush Avenue - Application on behalf of First Hartford Realty Corporation for a zone change for 639 Flatbush Avenue from its current One Family Residence District (R-6) designation to General Business District (BG). (Submitted for Town Council receipt on February 25, 2014. TPZ receipt on April 7, 2014. Town Council public hearing scheduled for April 10, 2014.)

After a detailed review of the proposed resolution, the TPZ acted by **unanimous vote** to **DENY RECOMMENDATION**. Motion to recommend approval failed.
Motion/Daniels; Second/O'Donnell (O'Donnell seated for Seder); Vote: 0-5

Resolution – Abandonment of Parker Street – Town Manager requesting the abandonment of Parker Street which has since become the site of the Charter Oak International Academy. Sanitary sewer and water lines were installed within the Parker Street right of way. Town Manager is authorized to grant an easement if needed for the continued operation of the sewer and water lines by the MDC. (Submitted for Town Council receipt on March 11, 2014. TPZ receipt on April 7, 2014.)

After a detailed review of the proposed resolution, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Daniels) (O'Donnell seated for Seder) to **RECOMMEND APPROVAL** of the subject resolution.

ADJOURNMENT: Motion/O'Donnell; Second/Prestage (5-0). Meeting adjourned 10:30 PM.

U: shareddocs/TPZ/minutes//2014/April7.